

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Pension Code is amended by changing
5 Section 4-108.5 as follows:

6 (40 ILCS 5/4-108.5)

7 Sec. 4-108.5. Service for providing certain fire
8 protection services.

9 (a) A firefighter for a participating municipality who was
10 employed as an active firefighter providing fire protection for
11 a village or incorporated town with a population of greater
12 than 10,000 but less than 11,000 located in a county with a
13 population of greater than 600,000 and less than 700,000, as
14 estimated by the United States Census on July 1, 2004, may
15 elect to establish creditable service for periods of that
16 employment in which the firefighter provided fire protection
17 services for the participating municipality if, by May 1, 2007,
18 the firefighter (i) makes written application to the Board and
19 (ii) pays into the pension fund the amount that the person
20 would have contributed had deductions from salary been made for
21 this purpose at the time the service was rendered, plus
22 interest thereon at 6% per annum compounded annually from the
23 time the service was rendered until the date of payment.

1 (b) Time spent providing fire protection on a part-time
2 basis for a village or incorporated town with a population of
3 greater than 10,000 but less than 11,000 located in a county
4 with a population of greater than 600,000 and less than
5 700,000, as estimated by the United States Census on July 1,
6 2004, shall be calculated at the rate of one year of creditable
7 service for each 5 years of time spent providing such fire
8 protection, if the firefighter (i) has at least 5 years of
9 creditable service as an active firefighter, (ii) has at least
10 5 years of such service with a qualifying village or
11 incorporated town, (iii) applies for the creditable service
12 within 30 days after the effective date of this amendatory Act
13 of the 94th General Assembly, and (iv) contributes to the Fund
14 an amount representing employee contributions for the number of
15 years of creditable service granted under this subsection (b)
16 based on the salary and contribution rate in effect for the
17 firefighter at the date of entry into the fund, as determined
18 by the Board. The amount of creditable service granted under
19 this subsection (b) may not exceed 3 years.

20 (c) This subsection applies only to a person who was first
21 employed by a municipality in 2008 to provide fire protection
22 services on a full-time basis as a firefighter or fire chief,
23 but was prevented from participating in a pension fund under
24 this Article until 2015 by reason of the employing
25 municipality's delay in establishing a pension fund as required
26 under this Article. Such a person may elect to establish

1 creditable service for periods of such employment by that
2 municipality during which he or she did not participate, by
3 applying to the board in writing and paying to the pension fund
4 the employee contributions that he or she would have made had
5 deductions from salary been made for employee contributions at
6 the time the service was rendered, together with interest
7 thereon at the rate of 6% per annum, compounded annually, from
8 the time the service was rendered to the date of payment;
9 except that the granting of such creditable service is
10 contingent upon the consent of the governing body of the
11 municipality and payment to the pension fund by the
12 municipality of the corresponding employer contributions, plus
13 interest.

14 For the purposes of Sections 4-109, 4-109.1, and 4-114, and
15 notwithstanding any other provision of this Article, for a
16 person who establishes creditable service under this
17 subsection (c), the date upon which the person first became a
18 participating firefighter under this Article shall be deemed to
19 be no later than the first day of employment for which such
20 creditable service has been granted.

21 (Source: P.A. 97-813, eff. 7-13-12.)

22 Section 99. Effective date. This Act takes effect upon
23 becoming law.